

# **Exhibit 3**

*a*

**In The Matter Of:**  
*Anderson v Kencrest Services*

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*Dekeshia Anderson*  
*December 3, 2013*

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*FrontinoReporting, LLC*  
*34 North Front Street*  
*Philadelphia, Pennsylvania 19106*  
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*www.frontinoreporting.com*

Page 1

1                   IN THE UNITED STATES DISTRICT  
2                   FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
3           DEKESHIA ANDERSON           :  
4           Plaintiff                   :  
5                   vs.                   :  
6           KENCREST SERVICES           : CIVIL ACTION  
7           Defendant                   : NO. 13-3716  
8  
9                   Bensalem, Pennsylvania  
10                  December 3, 2013  
11                  - - -  
12                  Deposition of DEKESHIA ANDERSON,  
13 held at the offices of Karpf, Karpf & Cerutti,  
14 P.C., on the above date at 10:00 a.m., before  
15 Jackelyn A. Johnston, a Certified Professional  
16 Reporter and Notary Public.  
17  
18                  - - -  
19  
20

21                   FrontinoReporting, LLC  
22                   Frontino/DeFilippis Court Reporting Agency  
23                   34 North Front Street  
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4 D-31 3/4/12 Letter from 228

Lucille Bernardo-Kaiser

5

6 (FIRST AMENDED CIVIL ACTION COMPLAINT &  
7 PLAINTIFF'S RESPONSES TO DEFENDANT'S FIRST SET  
8 OF INTERROGATORIES ATTACHED HERETO.)

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Page 9

1 D. Anderson  
2 questions. Take your time to look at the  
3 documents before you respond to any questions  
4 I might have about that. Okay?  
5 A. Yes.  
6 Q. You started this case by filing  
7 what's called a complaint. Do you understand  
8 that?  
9 A. Yes.  
10 Q. All right. I'm going to show  
11 you a copy of your complaint. We're not going  
12 to mark this as an exhibit, because it's a  
13 pleading. Actually, it's called the first  
14 amended complaint. I want you to just take a  
15 quick look through that. I'm going to have  
16 some questions for you specifically on some of  
17 the provisions. But, you know, right now I'd  
18 like you to tell me, if you can, is this a  
19 document that you remember reviewing before it  
20 was filed on your behalf?

21 A. Yes.  
22 Q. Do you understand that this  
23 complaint sets forth, among other things,  
24 factual allegations that you are making  
25 against KenCrest?

Page 10

1 D. Anderson  
2 A. Yes.  
3 Q. So to start, go to page three of  
4 the complaint. It's in the section called  
5 factual background. Are you with me?  
6 A. Yes.  
7 Q. And paragraph -- the numbered  
8 paragraphs, number 12, says that Plaintiff --  
9 that's you, do you understand that?  
10 A. Yes.  
11 Q. -- was promoted in or about July  
12 of 2010 to the position of community home  
13 supervisor at the 5500 Henry Avenue location,  
14 among other things.  
15 Am I correct that in July  
16 of 2010 you were actually put in the position  
17 of acting community home supervisor?  
18 A. Yes.  
19 Q. And you understood that at that  
20 time it wasn't a permanent position yet?  
21 A. Yes.  
22 Q. Is it also correct that it was  
23 KenCrest's policy that whenever someone was  
24 promoted, they served another probationary  
25 period?

Page 11

1 D. Anderson  
2 A. No, I was not aware of that.  
3 Q. When you were hired or any time  
4 thereafter, did you receive a copy of the  
5 KenCrest employee handbook or personnel  
6 policies?  
7 A. Yes.  
8 Q. Did you take the opportunity to  
9 read through those?  
10 A. Yes.  
11 Q. Do you remember signing off on  
12 getting a copy of that?  
13 A. Yes.  
14 Q. All right. And it's not your  
15 understanding that all promotions come with a  
16 probationary period?  
17 A. No, I wasn't clear on that.  
18 Q. Who was the supervisor that told  
19 you that you were promoted to acting community  
20 home supervisor?  
21 A. I believe that was Vicky  
22 Anderson.  
23 Q. And for how long was Vicky  
24 Anderson your supervisor at the time that you  
25 received this promotion to acting CHS in or

Page 12

1 D. Anderson  
2 about July of 2010?  
3 A. Up until, I believe, January of  
4 2012.  
5 Q. Okay. That's after. But how  
6 about beforehand, was Vicky your supervisor  
7 before then?  
8 A. Yes.  
9 Q. What was Vicky's position at the  
10 time that she served as your supervisor?  
11 Before you were promoted I'm talking about.  
12 A. She was the ADON assistant  
13 project director. My immediate supervisor  
14 from myself -- my the next supervisor was  
15 Dominique Lee. And Dominique Lee -- Vicky  
16 Anderson was Dominique Lee's PD, but she was  
17 over all of us.  
18 Q. PD means project director?  
19 A. Yes.  
20 Q. Now, before you became acting  
21 CHS, you were what's called an RA; correct?  
22 A. Yes.  
23 Q. And what were, generally, your  
24 duties as an RA?  
25 A. Generally, we took care of the

Page 13

1 D. Anderson  
2 guys. We made sure they was bathed, fed, took  
3 them to school. On some occasions we took  
4 them to doctors' appointments.  
5 Q. Was it Dominique Lee who was  
6 your direct supervisor when you were an RA?  
7 A. Yes.  
8 Q. How long did you work as an RA  
9 before you became acting CHS?  
10 A. From December 2007 I was an RA  
11 with KenCrest.  
12 Q. All right. So December 2007  
13 until about July of 2010?  
14 A. Yes.  
15 Q. Was Ms. Lee your supervisor  
16 during all that period of time?  
17 A. No.  
18 Q. Who else was?  
19 A. We had -- it was a lot -- they  
20 changed over a lot. But we was with children,  
21 the children division, so the main supervisor  
22 I cannot remember the name.  
23 Q. While you were an RA, your  
24 direct supervisor would have been the CHS of  
25 the house; right?

Page 15

1 D. Anderson  
2 you were an RA; correct?  
3 A. Um.  
4 Q. December '07 to July of 2010?  
5 A. Yes.  
6 Q. At any time during that period,  
7 when you served as an RA, did you ever  
8 receive any discipline of any form by either  
9 of your supervisors?  
10 A. Yes.  
11 Q. How many times?  
12 A. Once.  
13 Q. And what was that for?  
14 A. Unprofessional verbal  
15 disagreement with another staff member.  
16 Q. And who gave you that  
17 discipline?  
18 A. Dominique Lee.  
19 Q. And did Ms. Lee talk to you  
20 about that discipline?  
21 A. Yes.  
22 Q. Did she also give you anything  
23 in writing about that discipline?  
24 A. Yes.  
25 Q. And did you understand that it

Page 14

1 D. Anderson  
2 A. Yes.  
3 Q. Did you always work at 5500  
4 Henry Avenue?  
5 A. Yes. There was two sites. I  
6 always worked at 5500 Henry Avenue and I  
7 also -- they sometimes sent me to Green Lane,  
8 but the two houses was like sister and  
9 brother.  
10 Q. Did the two houses have the same  
11 CHS?  
12 A. Yes.  
13 Q. So Ms. Lee was the CHS for a  
14 period of time?  
15 A. Yes.  
16 Q. Do you remember what period of  
17 time that was?  
18 A. No, sir.  
19 Q. And who else besides Ms. Lee  
20 served as CHS while you were an RA?  
21 A. I believe his name was Sam. I  
22 cannot remember his last name.  
23 Q. And you would have served under  
24 either of those two CHS supervisors for about  
25 two and a half years or so, that's how long

Page 16

1 D. Anderson  
2 was KenCrest's policy to give either verbal  
3 warnings or written warnings or both for  
4 matters of discipline?  
5 A. Could you repeat that?  
6 Q. Sure. Did you understand, at  
7 the time that you received the discipline from  
8 Ms. Lee, both verbally when she spoke with you  
9 and in writing when she gave you a written  
10 warning, that that was KenCrest's policy that  
11 she was following?  
12 A. Dominique never gave me a  
13 written warning. She gave me a supervisory  
14 contact.  
15 Q. And that was in writing?  
16 A. Yes.  
17 Q. And was that follow-up to her  
18 telling you verbally that in her view you  
19 performed inadequately?  
20 A. It wasn't a follow-up. It all  
21 happened at the same --  
22 Q. Same time?  
23 A. Yes.  
24 Q. But you did get both, verbally  
25 and she gave you something in writing, which

Page 17

1 D. Anderson  
2 was the supervisory contact?  
3 A. Yes, at the same time.  
4 Q. And you said that that's the  
5 only time that you ever were disciplined in  
6 any way while you served as an RA?  
7 A. As far as from my recollection,  
8 yes.  
9 Q. And can you tell me what the  
10 substance of the warning was? What did Ms.  
11 Lee say you did wrong?  
12 A. Ms. Lee said, when I came in,  
13 one of the other staff members complained  
14 about the way I was speaking to them. There  
15 was a pile of clothes left, and I asked them  
16 what is that doing upstairs. And she didn't  
17 like my tone, so she reported it to Dominique.  
18 Q. Anything else that you remember  
19 about that incident?  
20 A. No, that was it.  
21 Q. At the time that you -- during  
22 the time that you worked as an RA, did you  
23 take any medical leaves?  
24 A. As an RA? I don't remember.  
25 Q. During the time that you worked

Page 18

1 D. Anderson  
2 as an RA did you take any workers'  
3 compensation leaves?  
4 A. I don't think so.  
5 Q. Okay. I just don't remember,  
6 did you say was it Ms. Lee or Vicky Anderson  
7 who told you they were making you acting CHS?  
8 A. Vicky Anderson.  
9 Q. Did you have to interview for  
10 that position?  
11 A. Yes.  
12 Q. And who did you interview with?  
13 A. Vicky Anderson.  
14 Q. Anybody else?  
15 A. Deborah Rowell.  
16 Q. Deborah Rowell is -- well,  
17 what's her position as far as you know?  
18 A. I believe she's the PD.  
19 Q. Project director?  
20 A. Yes.  
21 Q. So she would have been, at that  
22 time, Vicky Anderson's boss?  
23 A. Yes.  
24 Q. Any other interviews? Just the  
25 two of them?

Page 19

1 D. Anderson  
2 A. They were in the same interview.  
3 When I interviewed for the position, they  
4 didn't hire me then. They didn't hire me for  
5 the position until problems started occurring  
6 at the site.  
7 Q. Did they hire someone else  
8 the position when you were first interviewed?  
9 A. Dominique Lee.  
10 Q. I'm not following that. I  
11 thought Dominique Lee was already the CHS?  
12 A. She was not.  
13 Q. She was not? What was her  
14 position beforehand?  
15 A. I think she was an RA with  
16 KenCrest.  
17 Q. But how about the time that she  
18 gave you a supervisor's contact?  
19 A. When she gave me the supervisor  
20 contact, she was the supervisor at the house.  
21 She was a CHS or acting -- I'm not sure if she  
22 was -- she was my supervisor at that time.  
23 Q. All right. Do you have any  
24 information as to whether Dominique Lee  
25 interviewed for the CHS job at or around the

Page 20

1 D. Anderson  
2 same time that you were interviewing for it?  
3 A. I have no information on that.  
4 Q. Did anyone ever tell you whether  
5 -- strike that.  
6 Okay. All right. Go back  
7 to your amended complaint. Look at paragraph  
8 number 13. It says in or about December of  
9 2010 you sustained work-related injuries from  
10 an altercation with a client.  
11 Did I read that correctly?  
12 Do you remember that?  
13 A. Yes.  
14 Q. Now, did you take medical leave  
15 as a result of those injuries?  
16 A. Yes.  
17 Q. What was your position at the  
18 time?  
19 A. Acting community supervisor.  
20 Q. So at that time you were still  
21 acting CHS; correct?  
22 A. Yes.  
23 Q. And who was your supervisor at  
24 that time in or about December of 2010 when  
25 you were injured?



Dekeshia Anderson  
December 3, 2013

Page 21

1 D. Anderson  
2 A. Vicky Anderson.  
3 Q. Vicky Anderson was still your  
4 supervisor?  
5 A. Yes.  
6 Q. Okay. The leave that you took,  
7 was it workers' comp, FMLA, or both? What do  
8 you know?  
9 A. I think it was workmen comp  
10 leave. I'm not sure if it was family. I  
11 don't know if it fell under the same thing.  
12 Q. Are you aware of whether  
13 KenCrest has a policy that when you're out on  
14 leave of any type, medical leave, they run  
15 concurrently? Do you know what I mean by  
16 that?  
17 A. No, sir.  
18 Q. Did anyone ever tell you when  
19 you were out on a workers' comp leave that it  
20 was also deemed to be FMLA leave?  
21 A. I'm not sure.  
22 Q. In paragraph 14, you said that,  
23 prior to December of 2010, you had performed  
24 your job well, received praise, and did not  
25 have any disciplinary concerns.

Page 23

1 D. Anderson  
2 Q. But I'm talking about was she  
3 your supervisor?  
4 A. Yes, sir. I had to answer to  
5 her with just about anything medical.  
6 Q. All right. As of this time,  
7 which is December of 2010, had you received  
8 any performance evaluation from Vicky Anderson  
9 or anyone else at KenCrest in your role as  
10 acting CHS?  
11 A. No, sir, I don't think so.  
12 Q. Okay. You say in that paragraph  
13 also that you received praise. Who did you  
14 receive praise from?  
15 A. Vicky Anderson and Pat Martin.  
16 Q. And you said you did not have  
17 any disciplinary concerns. Did Ms. Anderson  
18 or anyone else, from the period of time you  
19 became acting CHS till this time you were  
20 injured in 2010, ever talk to you about  
21 anything that they thought you could be doing  
22 better?  
23 A. No, sir. I just went through  
24 training.  
25 Q. Who was training you? Vicky

Page 22

1 D. Anderson  
2 Did I read that right?  
3 A. Yes.  
4 Q. Who, if anyone, told you --  
5 well, let me back up.  
6 In that paragraph, are you  
7 referring to the job you were performing at  
8 that time as acting CHS, or are you referring  
9 back to when you were an RA, or both?  
10 A. When I was acting CHS.  
11 Q. Who, if anyone, had told you  
12 between the time that you became acting CHS --  
13 that was in July of 2010, up until December of  
14 2010 -- who told you that you were performing  
15 your job well?  
16 A. Vicky Anderson.  
17 Q. Anyone else?  
18 A. Pat Martin.  
19 Q. Who is Pat Martin?  
20 A. She's the nurse, the nurse. She  
21 oversees the medical aspects of the center.  
22 Q. All right. And she -- at the  
23 time, was she a supervisor of yours?  
24 A. I believe she was our supervisor  
25 over the nursing department.

Page 24

1 D. Anderson  
2 Anderson?  
3 A. Yes.  
4 Q. So sitting here today, you don't  
5 remember any time -- I know this is a couple  
6 years ago. So if you don't remember, you just  
7 need to tell me that. But you don't remember  
8 any period of time when either Ms. Anderson or  
9 anyone else sat down with you, from the time  
10 you became acting CHS till December of 2010,  
11 and said anything like, Ms. Anderson, you need  
12 to do this a little better or you need to pay  
13 attention to that, or as part of your job as a  
14 CHS you need to improve on such-and-such? You  
15 don't remember any conversation like that?  
16 A. No, sir. I don't remember that.  
17 Q. Now, you came back from this  
18 injury you sustained in or around January of  
19 2011; is that right?  
20 A. Yes.  
21 Q. So, as you understand, you were  
22 out several weeks?  
23 A. Yes.  
24 Q. When you came back in January of  
25 2011, who was your supervisor?



Page 25

1 D. Anderson  
2 A. Vicky Anderson for maybe about a  
3 week or two, around about. I'm not sure of  
4 time frame. And then they transferred me over  
5 to Valerie Van Kirk.  
6 Q. Transferred you over to her or  
7 she just became the --  
8 A. Yeah, took over --  
9 Q. That area?  
10 A. Yeah.  
11 Q. Clearly, when you came back from  
12 your leave, whatever period of time you needed  
13 to be out, KenCrest put you back in the same  
14 position; right?  
15 A. Yes.  
16 Q. You were still acting community  
17 home supervisor?  
18 A. Yes, I believe so.  
19 Q. And then there was some period  
20 of time -- strike that.

21 There came a time when  
22 KenCrest actually made you community home  
23 supervisor for that home; correct?  
24 A. Yes.  
25 Q. When was that?

Page 26

1 D. Anderson  
2 A. I believe that was in July --  
3 I'm not sure. I'm not sure of the date.  
4 Q. Do you have any recollection of  
5 about how long after you took your medical  
6 leave in December of 2010 and came back in  
7 January of 2011, about how long after that you  
8 became the full-fledged community home  
9 supervisor?  
10 A. I'm not sure of the date.  
11 Q. Can you put it -- I'm not asking  
12 you for a date. Can you put any time frame of  
13 reference on it at all? Was it a month after  
14 you came back? Two months? Three months?  
15 Five months?  
16 A. I don't remember.  
17 Q. Okay. Did you understand that  
18 there was a decision that was made by someone  
19 or some people at KenCrest after you came back  
20 from your medical leave that was made to make  
21 you from acting community home supervisor to  
22 the full-fledged community supervisor?  
23 A. Yes.  
24 Q. Do you have any understanding of  
25 who participated in that position?

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1 D. Anderson  
2 A. I believe -- I believe it was  
3 Vicky Anderson and Deborah Rowell.  
4 Q. Do you have any understanding of  
5 whether Valerie Van Kirk participated in that  
6 decision?  
7 A. I don't think so.  
8 Q. What leads you to believe that?  
9 A. She wasn't my supervisor at the  
10 time.  
11 Q. All right. Well, let me try and  
12 refresh your memory, because you told me you  
13 don't remember the time. You came back from  
14 leave sometime in January of 2011; right?  
15 A. Yes.  
16 Q. You had been out for just a few  
17 weeks? Yes?  
18 A. Yes.  
19 Q. You're doing a good job with  
20 that. Just don't fall into that trap. We all  
21 do.

22 And then I think you told  
23 me that Ms. Anderson was only your supervisor  
24 for, like, another week after you came back?  
25 A. Yes.

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1 D. Anderson  
2 Q. Correct?  
3 A. Yes.  
4 Q. So was it your recollection that  
5 you were made a full CHS during that week  
6 period of time from when you came back and  
7 when your supervisor changed from Ms. Anderson  
8 to Ms. Van Kirk? Do you understand what I'm  
9 asking you?  
10 A. I believe I understand your  
11 question. I just cannot answer it because I'm  
12 not sure of the time and date when I became  
13 from acting to community supervisor.  
14 Q. So would it be correct then that  
15 you don't know whether Valerie Van Kirk  
16 participated in the decision to change you  
17 from acting CHS to full CHS? You just don't  
18 know?  
19 A. I just don't know.  
20 Q. Okay. There was a time -- after  
21 you came back in January of 2011 from your  
22 first medical leave, there was a period of  
23 time that you worked as either acting CHS or  
24 CHS or both before you went out on a second  
25 medical leave; correct?

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1 D. Anderson  
2 A. Yes.  
3 Q. During that period of time --  
4 well, let me back up. Do you remember when  
5 you took your second medical leave?  
6 A. I think it was around July.  
7 Q. Of 2011?  
8 A. Yes.  
9 Q. So there would have been about  
10 six months or so in between when you came back  
11 from your first leave and when you went out on  
12 your second leave?  
13 A. I think so.  
14 Q. And for most of that period of  
15 time, Valerie Van Kirk was your supervisor;  
16 correct?  
17 A. Yes.  
18 Q. During that period of time,  
19 again, from when you came back from your first  
20 leave and before you went out on your second  
21 leave, did you receive any discipline from Ms.  
22 Van Kirk or anybody else?  
23 A. I believe so. I'm not sure on  
24 the times disciplinaries started, but I think  
25 so.

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1 D. Anderson  
2 Q. During that period of time --  
3 and again, I'm focusing on about a six-month  
4 period between January of 2011 and July of  
5 2011. Valerie Van Kirk is your supervisor.  
6 Did you receive any written performance  
7 evaluations, if you remember?  
8 A. Yes, I did.  
9 Q. Did you receive one or more than  
10 one?  
11 A. I'm not sure how many.  
12 Q. Do you know whether that  
13 performance evaluation was completed by Ms.  
14 Anderson, Ms. Van Kirk?  
15 A. Ms. Van Kirk.  
16 Q. Was it KenCrest's policy to go  
17 over performance evaluations with you at the  
18 time?  
19 A. Yes, sir.  
20 Q. So Ms. Van Kirk went over the  
21 performance evaluation with you?  
22 A. Yes, sir.  
23 Q. Did she talk to you about the  
24 ratings that she gave you?  
25 A. Yes, sir.

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1 D. Anderson  
2 Q. Okay. And what do you remember  
3 about receiving discipline? Again, I'm only  
4 talking about that period of time between your  
5 first leave and when you went out on your  
6 second leave. Do you remember receiving  
7 verbal discipline, written discipline, both?  
8 A. I remember receiving, I think it  
9 was the supervisory contact.  
10 Q. What was the basis of the  
11 supervisory contact? Do you remember?  
12 A. It was unprofessional manners.  
13 Q. Is that similar to the same one  
14 you had received from a different manager when  
15 you were an RA?  
16 A. Yes.  
17 Q. Verbal-type abuse?  
18 A. Yes.  
19 Q. Anything else that you remember  
20 receiving in the way of discipline, either  
21 written or verbal --  
22 A. No.  
23 Q. -- during that period of time  
24 I'm talking about?  
25 A. No, sir. I don't remember.

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1 D. Anderson  
2 Q. Did she tell you that there  
3 were, in her view, things that you needed to  
4 improve on?  
5 A. Yes, sir.  
6 Q. Did she also tell you there were  
7 things, in her view, you did well?  
8 A. Yes, sir.  
9 Q. Did you think the evaluation was  
10 a fair evaluation?  
11 A. I'm not sure. I can't recall  
12 the evaluation.  
13 Q. We'll look at that later. Right  
14 now I'm just asking you what you know from  
15 your memory. And if you don't remember,  
16 again, it's perfectly permissible to say you  
17 don't remember.  
18 A. I don't remember.  
19 Q. Go to paragraph number 22 of  
20 your amended complaint. It's on page four.  
21 A. Twenty-two?  
22 Q. Yes. In that paragraph, you  
23 said, while discussing her health problems and  
24 potential leave needs, Plaintiff was  
25 experiencing very significant animosity from

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1 D. Anderson  
2 her management about her health problems and  
3 had received pretextual discipline in  
4 mid-2011, the first discipline she was given  
5 in roughly four years of working for  
6 Defendant.  
7 ~~Was~~ Did I read that right?  
8 A. Yes.  
9 Q. Well, the last part of that  
10 paragraph is not correct; right? You said  
11 that it was the first discipline you received,  
12 but we've already pointed out that you  
13 received discipline before that; correct?  
14 A. Let me clarify. When I was  
15 speaking of disciplinary action, that was the  
16 first time she gave me something written.  
17 Other things was -- from what I understood and  
18 what was explained to me at KenCrest was  
19 supervisory contacts are meetings. They're  
20 not disciplinary actions.  
21 Q. Who told you that?  
22 A. Valerie Van Kirk.  
23 Q. So what you're saying here is  
24 this was the first time you actually received  
25 a written warning?

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1 D. Anderson  
2 A. Yes, sir.  
3 Q. Now you're saying you were  
4 receiving very significant animosity from your  
5 management about health problems?  
6 A. Yes, sir.  
7 Q. Who are you referring to there?  
8 A. Valerie Van Kirk.  
9 Q. Anybody else?  
10 A. No, sir.  
11 Q. And what was the form of the  
12 animosity that you received from Valerie?  
13 A. I don't know what you mean by  
14 the form.  
15 Q. In other words, did she say  
16 things to you?  
17 A. Yes.  
18 Q. Did she act differently with  
19 you?  
20 A. Yes.  
21 Q. What do you mean by you  
22 experienced very significant animosity from  
23 her?  
24 A. When we would discuss the client  
25 that attacked me, she would say nothing

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1 D. Anderson  
2 happened to you, he didn't do that to you and  
3 you're not hurt. Things like that.  
4 Q. The client that attacked you,  
5 you're talking about back in December of 2010?  
6 A. Yes.  
7 Q. All right. What caused you to  
8 discuss -- and back at that time, she wasn't  
9 your supervisor, correct, when the client  
10 attacked you?  
11 A. No, she was not.  
12 Q. So what caused you to discuss  
13 that attack with Valerie Van Kirk at some  
14 later date?  
15 A. It probably was the behaviors of  
16 the client. The client had behaviors,  
17 outbursts and things like that. So I would  
18 say things like, well, when he attacked me,  
19 she would start, he didn't do nothing to you.  
20 Things like that.  
21 Q. Were these meetings that you  
22 were having with Valerie Van Kirk when these  
23 things were said?  
24 A. I don't know if you can consider  
25 them meetings, but it was plenty times where

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1 D. Anderson  
2 she would be over at the site, we're doing  
3 paperwork -- like, the client had behaviors.  
4 So any time he would have an outburst or  
5 something, my job was to report it. And I  
6 guess she would have to come and do some kind  
7 of report into the system. And those were the  
8 times where as though she would say negative  
9 things about my condition.  
10 Q. Well, what did she say about  
11 your condition? What you told me was that she  
12 said that the client didn't do anything to  
13 you?  
14 A. Right.  
15 Q. What else did she --  
16 A. She would tell me I'm not hurt.  
17 She would tell me stop lying when I'm speaking  
18 of it. Things like that.  
19 Q. Were these statements that she  
20 made made to you without anybody else present?  
21 A. Yes.  
22 Q. Or were there other people  
23 present?  
24 A. No one was there with us.  
25 Q. So as far as you can remember,

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1 D. Anderson  
2 was there any time where one of these  
3 statements was made by Valerie where anybody  
4 else was within earshot of it?  
5 A. No.  
6 Q. Okay. Now, it is correct that  
7 in her job, Valerie Van Kirk, she wasn't at  
8 the home all the time; correct?  
9 A. No.  
10 Q. She supervised more than just  
11 the Henry Avenue home that you were the CHS  
12 for?  
13 A. Yes.  
14 Q. In paragraph 22, you go on to  
15 say you had received pretextual discipline in  
16 mid-2011. What do you mean by that?  
17 A. She gave me a write-up. I  
18 believe she gave me a write-up.  
19 Q. And the write-up was the written  
20 warning that you talked about before; correct?  
21 A. I'm not sure.  
22 Q. Well, do you have a memory of  
23 getting more than one write-up from Valerie  
24 Van Kirk? Now, I'm talking about in the same  
25 time frame you're referencing in your

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1 D. Anderson  
2 A. Yes.  
3 Q. Supervisory contact is a written  
4 document; correct?  
5 A. Yes.  
6 Q. And the substance of the  
7 document that you're talking about here was  
8 for verbal abuse; correct?  
9 A. Yes.  
10 Q. And, again, I identified earlier  
11 that you had received a similar-type  
12 warning --  
13 A. RA.  
14 Q. -- or supervisory contact for  
15 verbal abuse when you were an RA for a  
16 different supervisor; correct?  
17 A. Yes. Can I speak on that?  
18 Q. Sure.  
19 A. She used that -- what she told  
20 me, she used that write-up that I got as an RA  
21 for basis of the write-up that she gave me --  
22 that she gave me for the same thing.  
23 Q. Did she tell you what she meant  
24 by that?  
25 A. She used that -- she said -- she

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1 D. Anderson  
2 complaint, which is mid-2011, before you went  
3 out on your second leave.  
4 A. I'm not sure.  
5 Q. Well, look at paragraph 22.  
6 What you're saying in paragraph 22 is that you  
7 got this written pretextual discipline and it  
8 was the first discipline you had received in  
9 four years. Does that refresh your memory  
10 that there was only one written warning that  
11 you were given before you went out on your  
12 second leave?  
13 A. I don't know if it was before I  
14 went out on my second leave. I'm not sure of  
15 the date of when I received it.  
16 Q. But the warning -- you testified  
17 earlier, the warning you're talking about was  
18 the one you were given for verbal abuse;  
19 correct? Is that the one you're referring to  
20 here in paragraph 22?  
21 A. They were supervisory contacts,  
22 so I don't --  
23 Q. Okay. Well, whether it was --  
24 don't get caught up in my phraseology, but it  
25 was a written document?

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1 D. Anderson  
2 referred back in my files to the other  
3 write-up to get -- I guess to give her  
4 leverage, I don't know, to write this one up,  
5 because a staff complained about it.  
6 Q. All right. Sometime in 2011,  
7 before she gave you this supervisory contact  
8 on verbal abuse, is it correct that one or  
9 more of the staff people at the home that you  
10 were the CHS for complained about verbal  
11 abuse?  
12 MR. ZAHNER: Objection to  
13 form.  
14 THE WITNESS: Could you  
15 repeat that?  
16 BY MR. TURCHI:  
17 Q. Sure. When Valerie gave you  
18 this supervisory contact in 2011, the one that  
19 you're referring to here in paragraph 22 of  
20 your complaint -- are we on the same page?  
21 A. Yes.  
22 Q. -- she told you it was because  
23 other staff had complained about the way that  
24 you spoke to them; correct?  
25 A. No.

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<p>1 D. Anderson</p> <p>2 Q. She didn't tell you that?</p> <p>3 A. No.</p> <p>4 Q. What did she tell you?</p> <p>5 A. She told me that it was a</p> <p>6 complaint from a staff member about the way I</p> <p>7 was speaking to him as a supervisor.</p> <p>8 Q. Okay. And I thought that's what</p> <p>9 I asked you.</p> <p>10 You understood, because she</p> <p>11 told you, that somebody else who worked at the</p> <p>12 Henry Avenue home complained about the way you</p> <p>13 spoke to them; is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. And then did she tell you in sum</p> <p>16 or substance that she had seen that you had</p> <p>17 received a similar-type warning when you were</p> <p>18 an RA?</p> <p>19 A. Yes.</p> <p>20 Q. Is that what you were referring</p> <p>21 to before when you said she said she went back</p> <p>22 to the old one?</p> <p>23 A. Yes.</p> <p>24 Q. In paragraph 22, you said that</p> <p>25 was pretextual discipline. Is it your</p>	<p>1 D. Anderson</p> <p>2 Q. Well, let me finish.</p> <p>3 A. I'm sorry.</p> <p>4 Q. Is it your position that she</p> <p>5 didn't have the right to meet with people who</p> <p>6 were working under you at the Henry Avenue</p> <p>7 home?</p> <p>8 A. No, that's not my position.</p> <p>9 Q. Do you have any knowledge or</p> <p>10 information from any source that Ms. Van Kirk</p> <p>11 did not also meet with people at the other</p> <p>12 homes that she supervised?</p> <p>13 A. I have no knowledge of that.</p> <p>14 Q. When Ms. Van Kirk met with the</p> <p>15 people who worked under you at the Henry</p> <p>16 Avenue home, were you also present?</p> <p>17 A. No, sir.</p> <p>18 Q. All right. After she met with</p> <p>19 them, would she have a meeting with you?</p> <p>20 A. Yes, sir.</p> <p>21 Q. And at or around the time that</p> <p>22 she gave you the written document, which</p> <p>23 claimed that you committed verbal abuse</p> <p>24 towards a staff member, did she tell you that,</p> <p>25 at one of those meetings, at least one of the</p>
Page 42	Page 44
<p>1 D. Anderson</p> <p>2 position that Valerie made it up, that this</p> <p>3 other staff member did not complain to her</p> <p>4 about the way you spoke to them?</p> <p>5 A. I wouldn't say she made it up.</p> <p>6 I would say she provoked it.</p> <p>7 Q. In which way?</p> <p>8 A. She would have meetings with the</p> <p>9 staff. And then she would come back to me to</p> <p>10 have me redirect the staff. And then she</p> <p>11 would go and tell the staff, well, she</p> <p>12 shouldn't do that. So I believe she provoked</p> <p>13 that. The whole hostile work environment was</p> <p>14 provoked by Valerie Van Kirk. From the staff</p> <p>15 that I had to supervise, she would go and feed</p> <p>16 them negative things. So where as though I</p> <p>17 would have to go and redirect them, because</p> <p>18 she tells me to redirect them, she's, on the</p> <p>19 other hand, telling them that I shouldn't be</p> <p>20 doing that.</p> <p>21 Q. Let me back up. Is it your</p> <p>22 position that Ms. Van Kirk, as your</p> <p>23 supervisor, didn't have the right to meet with</p> <p>24 the people who worked --</p> <p>25 A. I did not say that.</p>	<p>1 D. Anderson</p> <p>2 staff members complained to her about the way</p> <p>3 you spoke to them?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Look at paragraph 24 of your</p> <p>6 amended complaint. In that you say Plaintiff</p> <p>7 made a formal written complaint of</p> <p>8 discrimination to Defendant's human resources</p> <p>9 department on July 27, 2011, referencing she</p> <p>10 had been discriminated against due to her</p> <p>11 workers' compensation matter and health</p> <p>12 conditions, among other concerns.</p> <p>13 Did I read that right?</p> <p>14 A. Yes.</p> <p>15 Q. What are you referring to there</p> <p>16 when you say among other concerns?</p> <p>17 A. The hostile working environment</p> <p>18 that I was forced to work in.</p> <p>19 Q. Now, when you made the complaint</p> <p>20 to human resources, you said that you were</p> <p>21 being discriminated against and harassed;</p> <p>22 correct?</p> <p>23 A. Yes, sir.</p> <p>24 Q. And did you say that you were</p> <p>25 being discriminated against and harassed</p>



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1 D. Anderson  
2 because of your health conditions?  
3 A. Yes, sir.  
4 Q. Did you say it was because of  
5 your leaves of absence?  
6 A. No, sir.  
7 Q. Did you say it was because of  
8 being on workers' compensation?  
9 A. No, sir.  
10 Q. Did you say that it was because  
11 of your race?  
12 A. No, sir.  
13 Q. Did you say that it was because  
14 of your gender?  
15 A. No, sir.  
16 Q. All right. So am I correct that  
17 the basis of your complaint to human resources  
18 that you reference here around July 27th of  
19 2011 was discrimination and/or harassment  
20 based on your health condition?  
21 A. Yes, sir.  
22 Q. Nothing else?  
23 A. Among other concerns.  
24 Q. Well, what's the other concerns?  
25 That's what I'm asking you.

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1 D. Anderson  
2 A. The hostile way I was treated.  
3 Q. But what were you claiming was  
4 hostile? Were you claiming you were being  
5 treated in a hostile manner because of your  
6 health condition or something else?  
7 A. Well, I don't know why I was  
8 treated that way. I'm not sure. I just had  
9 to endure it.  
10 Q. Okay. But we're clear that it  
11 wasn't -- you were not making a complaint that  
12 you were being mistreated because of your race  
13 or your gender or your age or your religion or  
14 anything like that; correct?  
15 A. No, just my disability.  
16 Q. Go to the next page. I'm  
17 looking at paragraph 26 of your complaint.  
18 You say, during the second half of 2011 and  
19 early 2012, Van Kirk was also continually  
20 raising false or feigned concerns about  
21 Plaintiff's conduct in the workplace through  
22 questions that implied she was looking for any  
23 reason to discipline Plaintiff.  
24 Did I read that correctly?  
25 A. Yes, you did.

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1 D. Anderson  
2 Q. What did Valerie Van Kirk raise  
3 which was false or feigned about what you were  
4 doing as a CHS at that time?  
5 A. My paperwork, the concerns that  
6 I don't answer the e-mails, the behaviors that  
7 I had with the staff members.  
8 Q. Anything else?  
9 A. Not that I can recall right now.  
10 Q. And is it your position, sitting  
11 here today, that all of those concerns that  
12 were raised by Valerie Van Kirk were false?  
13 A. Yes.  
14 Q. Okay. Look at paragraph 28.  
15 You say, the ongoing mistreatment you were  
16 experiencing since her work injury and medical  
17 leaves, you memorialized a complaint to  
18 Defendant's human resources management on  
19 April 29, 2012.  
20 Did I read that correctly?  
21 A. Yes.  
22 Q. Now, I'll go into what your  
23 complaint says, but you went out on your  
24 second medical leave sometime around July of  
25 2011; right?

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1 D. Anderson  
2 A. Yes.  
3 Q. And for how long?  
4 A. I believe I came back in  
5 September.  
6 Q. So a couple of months?  
7 A. Yes.  
8 Q. When you came back, was Valerie  
9 Van Kirk still the supervisor of whoever was  
10 the CHS at --  
11 A. Yes.  
12 Q. While you were out on leave, did  
13 someone else serve as the CHS?  
14 A. I don't think so, no.  
15 Q. Did Ms. Van Kirk spend more time  
16 at that home while you were out?  
17 A. I don't know.  
18 Q. All right. But in any event,  
19 when you were ready to come back, you were  
20 placed back into the same position as CHS at  
21 Henry Avenue; correct?  
22 A. Yes.  
23 Q. And that was from September of  
24 2011?  
25 A. Yes, sir.

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1 D. Anderson  
2 Q. Did you have any other medical  
3 leaves after that while you were a CHS?  
4 A. No, sir.  
5 Q. So am I correct then from  
6 September of 2011, when you were placed back  
7 into the position of CHS, until April of 2012,  
8 you didn't make any complaints to human  
9 resources or anybody else about being  
10 mistreated by Valerie Van Kirk or anybody  
11 else?  
12 A. No, I made no -- no, no.  
13 Q. That is correct, you didn't make  
14 any complaints?  
15 A. Correct.  
16 Q. So now you make a complaint in  
17 the end of April of 2012; correct?  
18 A. Yes.  
19 Q. And you say in that complaint  
20 among other things -- and I'm only reading the  
21 part of it that's in your complaint here,  
22 that's in the lawsuit. On July 27th, you  
23 filed a claim of discrimination and  
24 harassment. As of this date, I am still being  
25 harassed and discriminated against, which is

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1 D. Anderson  
2 giving me a uncomfortable feeling at work.  
3 Did I read that correctly?  
4 A. Yes.  
5 Q. Let me talk to you about the  
6 earlier complaint that you filed, July 27,  
7 2011. Do you remember that?  
8 A. Yes.  
9 Q. Sometime after you filed the  
10 complaint, did you have a meeting with human  
11 resources?  
12 A. Yes, sir.  
13 Q. Was that Denise Lamlin?  
14 A. Yes.  
15 Q. Anybody else in that meeting?  
16 A. I believe Valerie Van Kirk and  
17 Deborah Rowell was there.  
18 Q. Do you have any information or  
19 understanding about what KenCrest human  
20 resources did once they received your  
21 complaint and before they met with you?  
22 MR. ZAHNER: Objection to  
23 the form.  
24 THE WITNESS: No, sir.  
25 BY MR. TURCHI:

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1 D. Anderson  
2 Q. Do you have any knowledge  
3 whether your complaint was investigated by  
4 KenCrest human resources?  
5 A. No, sir.  
6 Q. You don't know one way or the  
7 other?  
8 A. I don't know one way or the  
9 other.  
10 Q. When you met with Denise Lamlin  
11 and Valerie Van Kirk and Deborah Rowell, were  
12 you told by Denise Lamlin or anyone else that  
13 they investigated your complaint?  
14 A. I don't recall.  
15 Q. Okay. Were you told -- well,  
16 what do you remember about that meeting? What  
17 were you told?  
18 A. I was told that upon my return  
19 back to work, they're going to set me up with  
20 monitor and other training --  
21 Q. You mean a mentor?  
22 A. Yeah, a mentor and other  
23 trainings.  
24 Q. When you had the meeting with  
25 Denise Lamlin, were you already out on leave?

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1 D. Anderson  
2 A. Yes. I hadn't returned back to  
3 work yet.  
4 Q. All right. So you made your  
5 complaint on July 27, 2011. Were you on leave  
6 already when you made the complaint or did you  
7 go out thereafter?  
8 A. I'm not sure.  
9 Q. And isn't it correct that you  
10 asked for a mentor?  
11 A. No, I don't think so.  
12 Q. Anything else you remember about  
13 your first complaint of harassment --  
14 A. I'm sorry?  
15 Q. Anything else that you remember  
16 about the first complaint you made of  
17 harassment/discrimination and what came of it?  
18 By that I mean, anything else that you  
19 remember that Denise Lamlin or anyone else  
20 told you in that meeting about your complaint  
21 about what they were doing about it?  
22 A. No.  
23 Q. Okay. So here we are in April  
24 of 2012, and it's, again, a number of months  
25 after you came back from your second leave



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1 D. Anderson  
2 that you make this second complaint; correct?  
3 A. Yes.  
4 Q. And you told Denise Lamlin that  
5 you were -- you had an uncomfortable feeling  
6 at work; correct?  
7 A. Yes.  
8 Q. And is it correct that Denise  
9 Lamlin told you don't go back to work there?  
10 A. Yes.  
11 Q. All right. Isn't it correct  
12 that she put you on paid administrative leave?  
13 A. Yes.  
14 Q. Did you understand that she was  
15 investigating your complaint and that's why  
16 she told you not to go back there?  
17 A. Yes, I believe so.  
18 Q. Look at paragraph 33, which is  
19 page six of your complaint. And this  
20 paragraph says, among other things, on May 23,  
21 2012 you e-mailed Lamlin explaining certain  
22 things, and I'll go into those.  
23 I want you to think back  
24 around this time. Is it correct that you were  
25 put on administrative leave from when you made

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1 D. Anderson  
2 Q. Did you ever receive a letter or  
3 anything in writing or e-mail or anything like  
4 that that said that you were terminated from  
5 your position at KenCrest?  
6 A. No.  
7 Q. Further down in that paragraph  
8 you say that you needed an income. Were you  
9 working anyplace else at that time?  
10 A. Yes, sir.  
11 Q. Were you working full time  
12 someplace else or part time?  
13 A. It was part-time, temporary  
14 work.  
15 Q. Where were you working?  
16 A. I was working at -- I believe it  
17 was Staffing Plus. They send you out to  
18 different sites.  
19 Q. So you didn't have a permanent  
20 position?  
21 A. No.  
22 Q. You went to different places?  
23 A. No, no.  
24 Q. During the time -- let me back  
25 up. You're a CHS for KenCrest up till, at

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1 D. Anderson  
2 your complaint in late April till about May  
3 22nd of 2012?  
4 A. I'm not sure when I was placed  
5 on administrative leave. I'm not sure of the  
6 date, but I believe it was in April.  
7 Q. You were placed on it in April?  
8 A. I believe so.  
9 Q. I'm saying when did you come  
10 off? Do you remember it being around on or  
11 about May 22nd?  
12 A. Yes, I believe so.  
13 Q. And during that approximately  
14 three-week period of time, you were being paid  
15 by KenCrest; correct?  
16 A. Yes.  
17 Q. You can read this whole thing  
18 but I'm pointing out just one of the sections  
19 of the middle paragraph of paragraph 33.  
20 You're telling Denise Lamlin in this e-mail,  
21 instead it seems like you just terminated me.  
22 Did anybody at KenCrest  
23 ever tell you that you were terminated?  
24 A. No, they never told me I was  
25 terminated.

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1 D. Anderson  
2 least, the end of April of 2012. You're  
3 working full time in that position; correct?  
4 A. Yes.  
5 Q. Is that a 40-hour week?  
6 A. Yes, but I always worked more.  
7 Q. You mean you always worked more  
8 for KenCrest or for someplace else?  
9 A. For KenCrest.  
10 Q. At the same time you were  
11 working as CHS, were you also working  
12 someplace else?  
13 A. Yes.  
14 Q. So how long of a period of time  
15 were you working through this temporary  
16 staffing agency? Was it all throughout your  
17 KenCrest work?  
18 A. No. I just started with them  
19 when I was on the administrative leave, I  
20 believe.  
21 Q. So that's when you started  
22 working for this temporary --  
23 A. Yes, I started looking for work  
24 then.  
25 Q. When you were on administrative

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1 D. Anderson  
2 leave, how many hours were you working on a  
3 temporary basis for the staffing agency?  
4 A. Maybe -- I don't know. Maybe  
5 about five hours a day or something like that.  
6 I'm not sure, but it wasn't a full-time  
7 position.  
8 Q. Go to paragraph 36, please.  
9 It's on page seven. In this paragraph you say  
10 you were demoted to an inferior job that was  
11 non-supervisory, given a reduced hourly rate  
12 at \$6 less per hour than previously earned,  
13 and required to drive a much more substantial  
14 distance to work.  
15 Did I read that correctly?  
16 A. Yes.  
17 Q. Now, I'm going to ask you a lot  
18 more questions about that when we get to them,  
19 but I'm going to ask you a couple questions  
20 here. When you were demoted from CHS back to  
21 RA -- do you remember that?  
22 A. Yes.  
23 Q. -- isn't it correct that you  
24 refused to take a job as an RA in the  
25 Philadelphia region?

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1 D. Anderson  
2 A. No.  
3 Q. Isn't it correct that you said  
4 you wanted to work in the other region, the  
5 eastern?  
6 A. No.  
7 Q. You never told anybody that?  
8 A. No. I told her I would prefer  
9 to go to the eastern -- not the eastern, a  
10 different county. I think it was Bucks  
11 County. I think it was the Bucks County.  
12 Q. And you never told anybody at  
13 any interviews during that period of time when  
14 KenCrest was searching for an RA position for  
15 you that you didn't want to work in  
16 Philadelphia?  
17 A. No.  
18 Q. Now, when you found -- when  
19 KenCrest found an RA position that you were  
20 willing to accept, you chose to take less than  
21 40 hours a week; isn't that correct?  
22 A. No.  
23 Q. You wanted 40 hours a week and  
24 they didn't give it to you?  
25 A. I just wanted full time.

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1 D. Anderson  
2 Q. Didn't you tell people you  
3 interviewed with you couldn't work on Fridays  
4 and you could only work --  
5 A. I never worked on Fridays.  
6 Q. Just follow me.  
7 A. All right.  
8 Q. When you were interviewing for  
9 an RA position, isn't it correct that you told  
10 the people you interviewed with you couldn't  
11 work on Fridays, you only could work Saturday,  
12 Sunday and one weekday?  
13 A. Yes.  
14 Q. So if you could only work  
15 Saturday, Sunday and one weekday, it wasn't  
16 going to be full time; correct?  
17 A. Wrong.  
18 Q. How did you expect to get full  
19 time working weekends and one weekday?  
20 A. Because of the shifts that  
21 KenCrest offers. They offered 12-hour shifts  
22 on weekends.  
23 Q. Okay. So if that was two days,  
24 that would be 24 hours; correct? And then one  
25 day during the week would be how many?

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1 D. Anderson  
2 Another eight?  
3 A. It would be eight.  
4 Q. So that would be 32 hours,  
5 instead of 40; correct?  
6 A. Yes.  
7 Q. You can put that aside for now.  
8 What I'm showing you is a document called  
9 Plaintiff's responses to Defendant's first set  
10 of interrogatories. Are you familiar with  
11 this document?  
12 A. Yes, sir.  
13 Q. Let me ask you to turn to the  
14 last page. It's something called a  
15 verification. Okay?  
16 A. Yes.  
17 Q. Does your signature appear  
18 there?  
19 A. Yes.  
20 Q. And you understand you're  
21 signing this verification saying that, to the  
22 best of your knowledge, the information that  
23 you're giving us in response to our written  
24 questions is true and correct?  
25 A. Yes.

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1 D. Anderson  
2 Q. Let me ask you to turn to  
3 paragraph number two, after those -- after  
4 those instructions. That's the correct page.  
5 A. Uh-huh.  
6 Q. Okay. And you were asked to  
7 identify people that you believe to have  
8 knowledge or information relating to your  
9 allegations against KenCrest. And you gave us  
10 a list of people. And I just want to ask you  
11 about one there. It's Lisa Douglas. She's at  
12 the end of that page. Do you see that?  
13 A. Yes.  
14 Q. What was Lisa Douglas's role as  
15 far as you know in any of the allegations that  
16 you are making?  
17 A. She worked in HR.  
18 Q. Did you have any contact with  
19 her during the course of your time, making any  
20 complaints saying that you were discriminated  
21 against or harassed?  
22 A. Yes.  
23 Q. Was Lisa Douglas involved in any  
24 of the meetings with you?  
25 A. No. I'm sorry. Yes. I had one

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1 D. Anderson  
2 A. Yes.  
3 Q. And the first part of your  
4 answer you say you used to work 40-hours-plus  
5 per week and then when you were demoted you  
6 were cut down to about 30 hours. And, again,  
7 isn't it correct that that was your choice  
8 based on the schedule you wanted?  
9 A. I can't say it was my choice.  
10 Q. Well, you're going to have to  
11 explain to me then how could you have gotten  
12 more hours than 30 or 32 if you were limited  
13 to working Saturday, Sunday and one other day?  
14 The shifts aren't any longer than that; right?  
15 It's 12 hours on Saturday and 12 hours on  
16 Sunday and then it's eight hours -- the  
17 regular shift would be eight hours during the  
18 week; correct?  
19 MR. ZAHNER: Objection to  
20 form.  
21 THE WITNESS: Correct.  
22 BY MR. TURCHI:  
23 Q. Well, is that correct, the  
24 regular shift is eight hours during the week?  
25 A. No, not at every site.

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1 D. Anderson  
2 meeting with her when I went through my files.  
3 Q. When you went through your  
4 files?  
5 A. Yes.  
6 Q. When was that?  
7 A. I believe that was in April.  
8 Q. You just asked to see your  
9 personnel records, is that what you're saying?  
10 A. Yes.  
11 Q. And KenCrest let you see it, and  
12 Lisa Douglas was the person that was there  
13 with you?  
14 A. Yes.  
15 Q. Did she have any other  
16 involvement?  
17 A. No.  
18 Q. Go to question number five.  
19 That question is asking you to tell us what  
20 your damages are. Did you understand that  
21 when you got these and were asked to respond?  
22 We're trying to find out from you what you  
23 think your losses are that you're seeking from  
24 KenCrest in this case. Do you understand  
25 that?

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1 D. Anderson  
2 Different sites have different hours.  
3 Q. All right. Sitting here today,  
4 do you know of any sites in the eastern  
5 region, the county outside of Philadelphia,  
6 that KenCrest had available for you when you  
7 were pushed back to an RA position that was an  
8 open RA position that you claim you should  
9 have had where you would have had more than 30  
10 hours a week?  
11 A. Yes.  
12 Q. And where was that?  
13 A. That was in Willow Grove.  
14 Q. All right. And did you  
15 interview for that job?  
16 A. No.  
17 Q. And how do you know that that  
18 job was open at that time?  
19 A. It was posted.  
20 Q. It was posted when?  
21 A. I don't know when.  
22 Q. Well, when did you go back to  
23 being an RA?  
24 A. That was in May, I believe.  
25 Q. In May of -- at the end of May

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1 D. Anderson  
2 of 2012, is that what you're --  
3 A. I think it was May the 2nd, I  
4 believe, when I was demoted.  
5 Q. Well, let's back up.  
6 A. I'm not sure.  
7 Q. Well, let's back up, because I  
8 don't think your understanding what I'm asking  
9 you. From the end of April 2012 till the end  
10 of May or near the end of May you were on paid  
11 administrative leave; correct?  
12 A. Yes.  
13 Q. So you weren't working at that  
14 time in any position; correct?  
15 A. Correct.  
16 Q. So sometime after that, you  
17 actually went to work as an RA?  
18 A. Yes.  
19 Q. So is it your position that this  
20 job in Willow Grove was posted and available  
21 to you during that time, before you started in  
22 your RA position?  
23 A. Yes.  
24 Q. And it was posted meaning what?  
25 A. It was on --

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1 D. Anderson  
2 Q. It was on the website?  
3 A. Yes. And I think it was Ms.  
4 Lamlin had set me up for an interview and they  
5 said I hired someone outside for the position  
6 and she couldn't go over the supervisor's head  
7 there.  
8 Q. Well, let me back up then. So  
9 she set you up for an interview but the job  
10 had already been filled, is that what you're  
11 saying?  
12 A. Yes.  
13 Q. If the job had already been  
14 filled, did you expect KenCrest to push that  
15 person out?  
16 A. I didn't know the job was  
17 fulfilled until she told me that.  
18 Q. I'm not understanding you, so I  
19 have to ask you these questions again.  
20 Denise Lamlin was working  
21 with you to try to find an RA position; is  
22 that correct?  
23 A. Yes.  
24 Q. And did you tell Denise Lamlin  
25 about the Willow Grove job or did she tell

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1 D. Anderson  
2 you?  
3 A. She e-mailed me -- I believe she  
4 e-mailed me the three lists of positions that  
5 was open. And I believe it was the Willow  
6 Grove area, because it wasn't far from my home  
7 that I wanted. But she had told me by the  
8 time that -- by the time -- I think she said  
9 she posted, but she didn't know the job was  
10 fulfilled or something like that.  
11 Q. Do you have any information from  
12 any source that Denise Lamlin was not telling  
13 you the truth at that time?  
14 A. No.  
15 Q. All right. So she originally  
16 told you that Willow Grove was an option?  
17 A. Right.  
18 Q. Set up an interview for you;  
19 correct?  
20 A. I don't know if she set the  
21 interview up, but I know she e-mailed me the  
22 list of sites that was available.  
23 Q. And was it shortly thereafter  
24 she told you that job had already been filled  
25 and she wasn't aware of that when she sent the

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1 D. Anderson  
2 e-mail?  
3 A. Yes.  
4 Q. Any other positions that you're  
5 aware of that were open RA positions that you  
6 claim you could have gotten more than the  
7 hours that you actually did receive?  
8 A. Not that I know of.  
9 Q. All right. Go to what is  
10 question number seven. It's a page or two --  
11 it's the next page, actually.  
12 Question number seven we  
13 asked you with regard to each of your claims  
14 of discipline by Defendant as alleged in the  
15 complaint, we asked you to identify certain  
16 things. You remember when we went through  
17 your lawsuit, your amended complaint, you  
18 alleged a couple different times that you  
19 received pretextual discipline. Do you  
20 remember that?  
21 A. Yes.  
22 Q. So in this question, number  
23 seven, we were following up with you and we  
24 want you to tell us about those things. And  
25 your counsel made an objection which may or

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1 D. Anderson  
2 may not be ruled on some other time. But in  
3 addition to making the objection, you directed  
4 us to a document. Do you see the last  
5 sentence there says Plaintiff directs  
6 Defendant to document Bates stamped P-64 for  
7 responsive information, do you see that? It's  
8 the very end of number seven in bold.  
9 A. Yes.  
10 MR. TURCHI: All right.  
11 (Exhibit D-1 is marked for  
12 identification.)  
13 BY MR. TURCHI:  
14 Q. Ms. Anderson, I'm showing you a  
15 document we've marked today as Defendant's  
16 Exhibit-1. I'll also point out to you that  
17 down at the very bottom right-hand part of the  
18 page, do you see that number, it says P-64?  
19 Do you see that?  
20 A. No.  
21 Q. Under the stamp it says P-64.  
22 A. Yes.  
23 Q. Do you see that now?  
24 A. Yes.  
25 Q. Those are identification

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1 D. Anderson  
2 of document?  
3 A. Yes.  
4 Q. You saw them while you were at  
5 KenCrest?  
6 A. Yes.  
7 Q. Did you give out any of these --  
8 A. Yes.  
9 Q. -- to others when you were a  
10 supervisor at KenCrest?  
11 A. Yes.  
12 Q. So this is typical KenCrest  
13 procedure; right?  
14 A. Yes.  
15 Q. This document is dated April 11,  
16 2012; right?  
17 A. Yes.  
18 Q. It says page one of two. But,  
19 again, we don't have, at least currently, page  
20 two here, because P-64 that you referred us to  
21 is only one page. All right? Do you  
22 understand that?  
23 A. I understand that.  
24 Q. This says that you were given a  
25 written warning?

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1 D. Anderson  
2 numbers. When it says P, that means that your  
3 counsel produced them to us.  
4 A. Okay.  
5 Q. You'll see some later that start  
6 with a D. That means we produced it to your  
7 counsel?  
8 A. Okay.  
9 Q. They're just for identification.  
10 And if you go back to interrogatory number  
11 seven, the written question, number seven on  
12 the other document, do you see that?  
13 A. Uh-huh.  
14 Q. The answer you gave us at the  
15 end of this is -- basically you're telling us  
16 go to P-64; am I correct?  
17 A. Yes.  
18 Q. All right. So you have P-64 in  
19 your hand?  
20 A. I do.  
21 Q. All right. P-64 is a document  
22 that's dated -- it's called KenCrest Services  
23 disciplinary action; correct?  
24 A. Yes.  
25 Q. Are you familiar with this type

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1 D. Anderson  
2 A. Yes.  
3 Q. What I want to ask you -- and  
4 you're going to get a chance to talk about  
5 this document later. But going back to number  
6 seven, remember, we're asking you in  
7 interrogatory number seven with regard to each  
8 of your complaints of discipline by Defendant  
9 as alleged in the complaint, identify the  
10 date, the form of how you received the  
11 discipline, the names of the people who  
12 participated in the discipline, the substance  
13 of each communication, whether there was  
14 anybody else that was present that heard the  
15 discipline you were getting, and the outcome,  
16 whether it was a warning, reprimand or  
17 suspensions.  
18 Is it correct that the only  
19 thing you cite us to in response to that  
20 question is P-64?  
21 A. Yes.  
22 Q. Nothing else that you know of  
23 that fits that category?  
24 A. I know of some other things.  
25 Q. Well, is there a reason why you



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1 D. Anderson  
2 didn't put them in this answer?  
3 A. I don't know why it's not put in  
4 this answer.  
5 Q. Are there other disciplines that  
6 you received from KenCrest during the course  
7 of your time there that you claim were either  
8 discriminatory or a form of harassment other  
9 than this one that's marked currently now as  
10 Defendant's Exhibit No. 1?  
11 A. Yes.  
12 Q. What other ones were there?  
13 A. There were other documents that  
14 was the supervisory contacts that we discussed  
15 earlier and there was other written letters.  
16 Q. Other written warnings?  
17 A. No. There were letters.  
18 Q. Letters?  
19 A. Letters and e-mails.  
20 Q. Okay. And you claim that those  
21 were claims of discipline too, the letters or  
22 e-mails?  
23 Remember, the question only  
24 asks you to tell us what discipline you  
25 received that you're complaining about.

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1 D. Anderson  
2 That's what question number seven asks.  
3 A. Uh-huh.  
4 Q. So are the letters and e-mails  
5 disciplines as far as you're concerned, or is  
6 it only the warnings and supervisory contacts?  
7 A. I think you're confusing me.  
8 Q. So let's back up. Focus on  
9 question number seven.  
10 A. Okay.  
11 Q. And it says, with regard to each  
12 of your claims of discipline by Defendant as  
13 alleged in the complaint -- and remember we  
14 went through your complaint, your amended  
15 complaint, the lawsuit; correct?  
16 A. Yes.  
17 Q. And in your complaint you say  
18 that you received discipline that was either  
19 pretextual or harassment/discrimination or  
20 both; correct?  
21 A. Yes.  
22 Q. In response to that question,  
23 tell us about the discipline you received that  
24 you're complaining about, you pointed us to  
25 one document, P-64; correct?

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1 D. Anderson  
2 A. Right.  
3 Q. If there are others, I just want  
4 to know what they are. That's why I'm asking  
5 you this question. I'm not trying to trick  
6 you. I just want to -- do you understand what  
7 I'm asking you now? What other discipline did  
8 you receive from KenCrest that you're  
9 complaining about?  
10 A. Well, I felt like some of our  
11 meetings was discipline. Like, one incident I  
12 can speak of is when she had the whole staff  
13 meeting --  
14 Q. She is Valerie Van Kirk, I  
15 assume?  
16 A. Yes. And Deborah Rowell was  
17 there too. And they all verbally attacked me.  
18 Q. They all meaning the staff?  
19 A. Yes.  
20 Q. Okay. Go ahead.  
21 A. That's one that I can think of  
22 off the top of my head.  
23 Q. What did the staff say during  
24 that meeting?  
25 A. They were saying that I

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1 D. Anderson  
2 shouldn't be the supervisor and they don't  
3 like the way I do my job. And they just was  
4 really, really attacking me verbally.  
5 Q. These were people --  
6 A. They were saying I don't --  
7 Q. I'm sorry. Go ahead.  
8 A. They were saying that I come to  
9 work and I don't ask them about their parent  
10 or how their parent's doing. And, you know,  
11 I'm not warm-giving. And, you know, Valerie  
12 Van Kirk was there and so was Deborah Rowell.  
13 And, actually, they called that meeting.  
14 Q. Do you know why they called that  
15 meeting?  
16 A. No, I do not.  
17 Q. And no understanding that the  
18 people who were complaining about you in the  
19 meeting had separately complained to Valerie  
20 or to Deborah or both?  
21 MR. ZAHNER: Objection to  
22 form.  
23 BY MR. TURCHI:  
24 Q. Do you have any understanding  
25 about that?